

**HUDSON**  
**35602-101801**



***ROANOKE CITY COUNCIL***  
***REGULAR SESSION***

***October 18, 2001***  
***2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**1. Call to Order--Roll Call. (All present)**

The Invocation was delivered by The Reverend Carl T. Tinsley, Pastor, First Baptist Church, Buena Vista, Virginia.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

**NOTICE:**

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Friday, October 19, 2001, at 7:00 p.m., and Saturday, October 20, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [www.roanokegov.com](http://www.roanokegov.com), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.**

## **PRESENTATIONS:**

Proclamation declaring the month of October 2001 as National Arts and Humanities Month.

**File #3**

Recognition of Roanoke Citizen, the City of Roanoke Quarterly Magazine, as recipient of the National “3CMA” (City/County Communications and Marketing Association) Silver Circle Award for Best Newsletter.

**File #80**

A ordinance with regard to the new agenda process.

**Adopted Ordinance No. 35602-101801. (7-0)**

**File #24-132**

A resolution of congratulations to Allstate Insurance Company on the occasion of its anniversary in the Roanoke Valley.

**Adopted Resolution No. 35603-101801. (7-0)**

**File #80**

A resolution memorializing the late Mary Chisholm Pickett, a resident of the Roanoke Valley since 1934.

**Adopted Resolution No. 35604-101801. (7-0)**

**File #80-132-367**

**2.**

## **CONSENT AGENDA**

**(APPROVED 7-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 Minutes of the special and regular meetings of Council held on Tuesday, September 4, 2001; and the special and regular meetings held on Monday, September 17, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

RECOMMENDATION ACTION: Concur in request.  
**File #110-132**

- C-3 A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss personnel matters, specifically interviews for appointments to the Architectural Review Board, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950) as amended.

RECOMMENDATION ACTION: Concur in request.  
**File #110-132**

- C-4 A communication from the City Manager requesting that Council convene in Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

RECOMMENDATION ACTION: Concur in request.  
**File #2-104-132**

- C-5           A communication from the City Manager requesting that Council convene in Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

RECOMMENDATION ACTION:   Concur in request.

**Withdrawn by the City Manager.**

- C-6           Minutes of the meeting of the Audit Committee held on Monday, October 1, 2001.

RECOMMENDED ACTION:   Receive and file.

**File #10-300**

- C-7   Qualification of the following persons:

Edward S. Colonna as a member of the New Construction Code, Board of Appeals, for a term ending September 30, 2006;

Ben J. Fink as a Commissioner of the City of Roanoke Redevelopment and Housing Authority for a term ending August 31, 2005; and

Robert C. Poole as a member of the Roanoke Civic Center Commission for a term ending September 30, 2004.

RECOMMENDED ACTION:   Receive and file.

**File #15-32-110-178-192-200**

## **REGULAR AGENDA**

### **3. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

- a. Request of the Roanoke Regional Chamber of Commerce to express support of and commendation for cooperative public safety efforts underway between the City of Roanoke and the County of Roanoke. Beth Doughty, President, Spokesperson.

**Received and filed.**

**File #5-70-99-175-354**

### **4. PETITIONS AND COMMUNICATIONS:**

- a. A communication from the Roanoke City School Board requesting that Council appropriate \$8,480.00 for the Title I School Improvement Program; and \$545,773.00 from the Capital Maintenance and Equipment Replacement Fund; and a report of the Director of Finance recommending that Council concur in the request.

**Adopted Budget Ordinance No. 35605-101801. (7-0)**

**File #60-217-467**

- b. A communication from the Roanoke City School Board requesting that Council issue General Obligation Qualified Zone Academy Bonds, in an aggregate principal amount not to exceed \$1,100,000.00, to rehabilitate, repair, and/or equip Lincoln Terrace Elementary School.

**Adopted Resolution No. 35606-101801. (7-0)**

**File #53-467**

- c. A petition from the Boys and Girls Clubs of Roanoke Valley, Inc., requesting exemption from taxation of real property located at 1719 9<sup>th</sup> Street, S. E., in the City of Roanoke, pursuant to Section 30-19.04(B), Code of Virginia (1950), as amended.

**The matter was referred to the City Manager for study, report and recommendation to Council and to schedule a public hearing.  
File #79-304**

**Council Member White reiterated previous requests that City staff review the status of 501(C)(3) non-profit corporations to provide Council with a review of current properties on the City's tax role versus tax exempt properties, and submit a policy recommendation for consideration by Council.**

- d. A communication from the General Registrar requesting that Council approve an emergency change in the polling place from the National Guard Armory, 33 Reserve Avenue, S. W., to the Roanoke City Schools Maintenance Building, 250 Reserve Avenue, S. W.

**Adopted Ordinance No. 35607-101801. (7-0)  
File #40-122-189-467**

## **5. REPORTS OF OFFICERS:**

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending authorization to execute Amendment No. 2 to the 2000-01 Community Development Block Grant Funding Administration Agreement with the Roanoke Redevelopment and Housing Authority, to provide funds for infrastructure improvements associated with the Lincoln 2000/HOPE VI Community Revitalization Program Project ; and appropriation and transfer of funds in connection therewith.

**Adopted Budget Ordinance No. 35608-101801 (7-0), and Resolution No. 35609-101801. (6-0, Council Member White was out of the Council Chamber.)  
File #60-178-200**

2. A communication recommending appropriation of \$75,211.00 to Grant Fund accounts in connection with the Forfeited Asset Sharing Program.

**Adopted Budget Ordinance No. 35610-101801. (6-0, Council Member White was out of the Council Chamber.)  
File #5-60**

3. A communication recommending authorization to accept the bid submitted by Breakell, Inc., in the amount of \$362,331.00, for improvements to seven City softball/baseball fields; and transfer of funds in connection therewith.

**Adopted Budget Ordinance No. 35611-101801 and Ordinance No. 35612-101801. (6-0, Vice-Mayor Carder abstained from voting inasmuch as he has a business relationship with Breakell, Inc.)  
File #60-67**

4. A communication recommending appropriation of \$132,624.00 in connection with carryover funds for the Fifth District Employment and Training Consortium.

**Adopted Budget Ordinance No. 35613-101801. (7-0)  
File #60-246**



5. A communication recommending authorization to accept the bid submitted by Aramark Uniform and Career Apparel, Inc., in the amount of \$119,080.88 for rental of uniforms for City employees, for a period of one year, with an option to renew for four additional one year periods; and reject all other bids received by the City.

**Adopted Resolution No. 35614-101801. (7-0)  
File #184**

6. A communication with regard to special military leave pay.

**The matter was tabled until the next regular meeting of Council on Monday, November 5, 2001.  
File #184**

7. A communication recommending amendment of the City Code to establish a residential parking permit program; and amendment of the City's Fee Compendium to provide for the permit fees.

**Adopted Ordinance No. 35615-101801. (7-0)  
File #20-24-289**

## **6. REPORTS OF COMMITTEES: NONE.**

## **7. UNFINISHED BUSINESS: NONE.**

## **8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

- a. A resolution reappointing William L. Bova as a Director of the Industrial Development Authority for a term of four years commencing on October 21, 2001, and expiring on October 20, 2005.

**Adopted Resolution No. 35616-101801. (6-0, Council Member Wyatt was out of the Council Chamber.)  
File #110-207**

- b. A resolution reappointing S. Deborah Oyler as a Director of the Industrial Development Authority for a term of four years commencing on October 21, 2001, and expiring on October 20, 2005.

**Adopted Resolution No. 35617-101801. (6-0, Council Member Wyatt was out of the Council Chamber.)**

**File #110-207**

- c. A resolution electing and appointing Troy A. Harmon as Municipal Auditor for the City of Roanoke, and ratifying the terms and conditions of employment as Municipal Auditor offered to Mr. Harmon.

**Adopted Resolution No. 35618-101801. (6-0, Council Member Wyatt was out of the Council Chamber.)**

**File #184-280**

## **9. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member White commended his fellow Council Members on their participation in a Planning Retreat which was held on October 3 at Apple Ridge Farm and encouraged Council to continue to engage in similar work sessions.**

**File #132**

**Vice-Mayor Carder referred to a meeting of the First Cities Coalition which was held during the Annual Conference of the Virginia Municipal League. He advised that the Coalition is composed of 14 cities that face similar problems in terms of state funding inequities, and noted that meetings of the Coalition will be scheduled in the near future.**

**File #132-60-550**

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

## **10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Mrs. Joseph Lawson, 3151 West Ridge Road, S. W., addressed Council with regard to deer over population in her neighborhood. The matter was referred to the City Manager for report.**

**File #86-54**

**Ms. Amy Cosner, 4004 High Acres Road, N. W., addressed Council with regard to anti-abortion protestors on Peters Creek Road, N. W.**

**File #86-478**

**The meeting was declared in recess for three closed sessions.**

### **CERTIFICATION OF CLOSED SESSION. (7-0)**

**The following persons were reappointed as members of the Roanoke Neighborhood Partnership Steering Committee for terms ending November 30, 2004:**

**Paula L. Prince**

**James Armstrong**

**Charles W. Hancock**

**Stark H. Jones**

**George M. McMillan**

**Richard J. Nichols**

**Henry Scholz**

**Frederick M. (Rick) Williams**

**File #15-110-488**

**Courtney Penn was reappointed as a member of the Advisory Board of Human Development for a term ending November 30, 2005.**

**File #15-72-110**

**Judy Jackson was appointed as a member of the Human Services Committee for a term ending June 30, 2002.**

**File #15-72-110**

**Frank Eastburn was appointed as member of the Roanoke Arts Commission to fill the unexpired term of Rita D. Bishop, ending June 30, 2002.**

**File #15-110-230**

**THE MEETING OF COUNCIL WAS DECLARED IN RECESS AT 4:55 P.M., TO BE RECONVENED AT 5:00 P. M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, FOR A JOINT MEETING OF COUNCIL AND THE ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY.**



***JOINT MEETING  
CITY COUNCIL/ROANOKE REDEVELOPMENT  
AND HOUSING AUTHORITY***

***October 18, 2001  
5:00 p.m.***

***EMERGENCY OPERATIONS CENTER  
CONFERENCE ROOM***

- 1. Call to Order.**
- 2. Roanoke Redevelopment and Housing Authority Roll Call.**
- 3. Welcome. Mayor Smith.**
- 4. Invocation. Council Member Harris.**
- 5. Opening Remarks. Chairman Anderson.**

**Dinner**

## **6. Project Updates:**

- ? South Jefferson Redevelopment Area. Ms. Meredith.
- ? Eight Jefferson Place (GOB South) (Shenandoah Crossing Apartments project). Mr. Lynn.
- ? Lincoln 2000. Ms. Bumbry.
- ? Market Rate Housing Efforts.

## **7. Recap and Recommended Action:**

- ? What the RRHA Brings. Mr. Fink.

## **8. Comments by City Council/Roanoke Redevelopment and Housing Authority/Staffs.**

## **9. Other Business.**

## **10. Summary. Chairman Anderson.**

**THE CITY COUNCIL MEETING WAS DECLARED IN RECESS AT 6:40 P.M. TO BE RECONVENED AT 7:00 P. M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***October 18, 2001  
7:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**Call to Order -- Roll Call. (All present)**

The Invocation was delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

**NOTICE:**

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Tonight's meeting will be replayed on Channel 3 on Friday, October 19, 2001, at 7:00 p.m., and Saturday, October 20, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **A. PUBLIC HEARINGS:**

1. Public hearing on the request of Sherman W. Chisom that an unused, unpaved and unimproved alleyway running in an east/west direction between 101/2 Street and 11<sup>th</sup> Street, S. E., between properties identified as Official Tax Nos. 4111317 and 4111303, for a distance of approximately 130 feet in a westerly direction from 11<sup>th</sup> Street, be permanently vacated, discontinued and closed. Sherman W. Chisom, Spokesperson.

**Adopted Ordinance No. 35619-101801. (7-0)**  
**File #514**

2. Public hearing on the request of the Times-World Corporation that a portion of Salem Avenue, S. W., near its intersection with Second Street, being approximately five feet wide and 35 feet long, lying on the south side of Salem Avenue, and shown on the "Right of Way Easement and Vacation Plat for The Roanoke Times," prepared by Caldwell White Associates, and dated August 22, 2001, be permanently vacated, discontinued and closed. Daniel F. Layman, Jr., Attorney.

**The ordinance failed for lack of five affirmative votes.**  
**File #227-514**

3. Public hearing on a request of the City of Roanoke to vacate a utility easement across four parcels of land along Second Street, S. W., identified as Official Tax Nos, 1011001-1011004, inclusive, in connection with the Times-World Corporation expansion. Darlene L. Burcham, City Manager.

**The matter was tabled until the next regular meeting of Council on Monday, November 5, 2001, at 2:00 p.m., or as soon thereafter as the matter may be heard in the Council Chamber, Mayor Smith voted no.**  
**File #28-227**



4. Public hearing on a request of the City of Roanoke to amend Section 36.1-206, Permitted Uses, Section 36.1-227, Permitted Uses, and 36.1-249, Permitted Uses, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide for commercial printing establishments including newspapers, publications and other printed materials as permitted uses in the C-2, General Commercial District, C-3, Central Business District, and LM, Light Manufacturing District, of the City of Roanoke. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35620-101801. (6-0, Council Member Hudson was out of the Council Chamber.)  
File #24-51-227**

5. Public hearing on a request of the City Planning Commission to amend Section 36.1-723, Penalty for violations, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to revise penalties for violations of the Zoning Ordinance. D. Kent Chrisman, Chair.

**Adopted Ordinance No. 35621-101801. (7-0)  
File #24-51**

6. Public hearing on a request of the City of Roanoke to amend Section 36.1-640, Appointment, membership, Division 2, Architectural Review Board, Article VII, Administration, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to eliminate certain qualifications for membership on the Architectural Review Board. Darlene L. Burcham, City Manager.

**The matter was tabled.  
File #24-51-110-249**

7. Public hearing to consider the proposed renaming of Elmwood Park to honor the late Dr. Martin Luther King, Jr.

**No action was taken.  
File #67**

## **B. OTHER HEARING OF CITIZENS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., expressed confusion with regard to the process that was followed in connection with the public hearing to name Elmwood Park in honor of the late Dr. Martin Luther King, Jr. She expressed concern that citizens were not formally advised of either the City Manager's recommendation as a result of the report of the committee that was appointed by the City Manager to study the matter, or the alternative proposal presented by Council Member Harris. File #66-67-132**

**Mr. Robert Gravely, 617 Hanover Avenue, N. W., expressed concern for a Roanoke City worker who was recently attacked by a citizen while performing his duties as a City employee. He referred to other alleged incidents that have threatened the personal safety of City workers while performing their duties. He advised that Dr. Martin Luther King, Jr., stood for peace and he represented all people, regardless of race; therefore, racism should not be an issue and suggested further study leading to a compromise recommendation to honor Dr. King's memory. File #66-67-184**

**Mr. Chris Craft, 1501 East Gate Avenue, N. E., expressed dissatisfaction with the actions of some Members of Council; i.e.: spending taxpayers' money to lease a building on Williamson Road to relocate the Social Services Department when the funds could be spent on increasing teacher salaries, equipment purchases, etc. He applauded Council for opening the lines of communication between Council Members and citizens at the end of the City Council meeting. File #66-72-132-467**

**Ms. Rosalie S. Motley, 2835 Cove Road, N. W., addressed Council in regard to Red Ribbon Week which will be observed on October 25 - 31, and was established in 1985 by the Virginia Federation of Community and Drug Free Youth. She invited the Members of Council to attend special activities at William Fleming High School on Wednesday, October 31, which are designed to promote a drug free life style by students.**

**File #76-132-467**

**Mr. Kermit Shriver, 18 Mountain Avenue, S. W., expressed concern with regard to noise and safety issues as a result of emergency vehicles entering the City from the vicinity of Troutville, Buchanan, Daleville, etc. He requested that the City of Roanoke communicate with the above referenced localities to determine if vehicles can exit I-581 and access the City via Williamson Road, proceeding through a traffic light at Albemarle Avenue to South Jefferson Street and enter the hospital complex at the foot of the bridge. Council Member Wyatt requested that the matter be referred to the City Manager to communicate with the localities.**

**File #20-66-221**

**THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL FRIDAY, OCTOBER 19, 2001, AT 2:00 P.M., ON THE MEZZANINE OF THE ROANOKE CIVIC CENTER AUDITORIUM FOR A CONTINUATION OF CITY COUNCIL'S PLANNING RETREAT.**